



RESOLUTION

URGING THE CITY ADMINISTRATION TO ALLOW THE DISPLAY OF THE FLAGS OF THE UNITED STATES AND STATE OF HAWAII AT CITY-OWNED HOUSING PROJECTS.

WHEREAS, every resident of Hawaii should be able to rightfully display the flags of the United States and the State of Hawaii without apprehension; and

WHEREAS, Section 5-20 of the Hawaii Revised Statutes, provides that, on every occasion of public display of the Hawaiian flag, within the State of Hawaii, it shall occupy the position of honor when displayed in company with the flags of other states, nations or international organizations; provided, however, that when the United States flag is displayed with the Hawaiian flag, the national flag shall occupy such position of honor; and

WHEREAS, the federal Freedom to Display the American Flag Act of 2005 ("Federal Flag Act"), set forth in 4 U.S.C. §§ 4-10, provides uniform guidelines for the display of and respect shown to the flag of the United States and functions as a guide to be voluntarily followed by civilians and organizations; and

WHEREAS, the Federal Flag Act prohibits a condominium, cooperative, or real estate management association from adopting or enforcing any policy or agreement that would restrict or prevent a member of the association from displaying the flag in accordance with the Federal Flag Act on residential property to which the member has a separate ownership interest; and

WHEREAS, the Federal Flag Act also provides that nothing in the Act shall be considered to permit any display or use of the flag of the United States that is inconsistent with any reasonable restriction pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the condominium association, cooperative association, or residential real estate management association; and

WHEREAS, the Council finds that city-owned housing projects should allow the flags of the United States and the State of Hawaii to be flown and/or flag poles to be installed subject to reasonable restrictions, including city land use and budgetary restrictions; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the city administration to allow the U.S. and State Hawaiian flag to be flown or displayed



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at city-owned housing projects year round, subject to reasonable conditions in rules;
and

BE IT FURTHER RESOLVED that the city administration work with the
managers of these housing projects to effectuate the purposes of this Resolution; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the
Mayor, Managing Director, Director of Community Services, and the managers of all
city-owned housing projects.

INTRODUCED BY:

Tom R. [unclear]
Julij Laabel [unclear]
Romy M. [unclear]
Mr. Kobayashi
[unclear]
[unclear]

00:03:00
MAR 23 2011

DATE OF INTRODUCTION:

MAR 23 2011

Honolulu, Hawaii

Councilmembers